

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Applicant: § Art Unit: 2613  
Kannan Raj et al. §  
§ Examiner: Dalzid E. Singh  
Serial No.: 09/839,023 §  
§ Conf. No.: 2391  
Filed: April 20, 2001 §  
§ Docket: ITL.0462US  
For: Optically Interconnecting §  
Multiple Processors §  
§ Assignee: Intel Corporation

**Mail Stop Appeal Brief-Patents**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**REPLY BRIEF**

**A. Whether claims 1-4, 7-15, and 17-30 fail to comply with the written description requirement under 35 U.S.C. § 112, first paragraph?**

Since the Examiner failed to support this rejection, the rejection should be reversed.

**B. Whether claims 1-4 and 7-10 are based on a disclosure which is not enabling under 35 U.S.C. § 112, first paragraph**

The present application indicates at page 8, line 12, that when a particular processor wants to communicate with another processor, it causes its transmitter to send a signal using an assigned wavelength, together with a code that identifies the sending processor. Then, at page 8, line 21, it is indicated that when a code is matched with the receiving processor 12 at the wavelength of interest, that wavelength is locked for the receiver 26. The receiver 26 then indicates a processor busy flag for all the other processors 12. Page 8, lines 23 and 24.

The limitation in question says that each transceiver to notify a first of the three transceivers when a second of the three transceivers is receiving a signal from a third of the three transceivers. The specification supports this limitation because it indicates when one processor

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*Cynthia L. Hayden*  
Cynthia L. Hayden

receives a signal from another processor it notifies all the other processors that it is busy. If it notifies every other processor that it is busy, then the receiving processor must notify at least a first of the three transceivers when it (i.e. the second of the three transceivers) is receiving a signal from any other of the three transceivers.

Therefore, the rejection should be reversed.

On the same basis, the rejections of claims 11 and 21 should be reversed.

**C. Whether claims 1-4 and 7-10 are indefinite under 35 U.S.C. § 112, second paragraph for failing to point out and distinctly claim the subject matter of the invention**

As best as can be understood, it appears that the rejection is based on the faulty premise that the same words must be used in the claims and the specification. This is plainly not so and, to the extent this is the basis for the rejection, the rejection should be reversed.

The conclusion that "Wherein, device is generally known as equipment within the system" is completely illogical and totally unsupported. See Answer at page 21. In other words, the Examiner is presuming some hierarchy between a system at the highest level and a device at the lowest level. But nothing from Newton's Telecom Dictionary supports any such conclusion. A device can be anything that is hardware, including a system or anything else.

The assertion that the processors are coupled as part of a system in the drawings can easily be rephrased to say that the processors are connected as part of a device. The argument is illogical and amounts to the proposition that because the Examiner simply insists that what is shown is a system, not a device, the use of the word device is inappropriate.

The Examiner contends that because the appellant argues that a system is a device and a device is a system, that the system as cited in the prior art meets the limitation of the device in the claim certainly does not support the rejection. This appears at least to concede that the rejection under Section 112 is faulty.

In any case, it is apparent the rejection should be reversed.

**D. Whether claims 1-4 and 7-12 were anticipated by Deri**

The Examiner relies on column 2, lines 46-52 of Deri. Taking claim 1 as an example, nothing in the cited material could possibly support the notifying limitation of claim 1. The Answer never even makes an effort to show where within Deri the notifying limitation could be

found. Plainly, a *prima facie* rejection is not made out, even after the failure to point out the support for the rejection was indicated in the appeal brief. It is not the applicant's duty to scan through the reference trying to find out why the Examiner cited it.

**E. Whether claims 1-4, 9, and 10 are unpatentable over  
Nakata in view of Li and further in view of Asahi or Mo**

In the appeal brief the Examiner indicates that he does not rely on Li.

The argument starting on page 22 of the Examiner's Answer, with respect to part E, appears to be some type of error. Namely, it does not appear that the Examiner is addressing the prior art rejection, but, instead, is mistakenly addressing again the Section 112 rejection. The argument that the language in the specification "clearly suggests that all processors receive flags or signals," on page 24 of the Answer, certainly does not support the rejection under Section 112. If all of them receive it, then the first receiver or the first processor receives it as well. This is sufficient to provide support. The fact that the specification does more than what the claim requires does not mean there is inadequate support.

With respect to the reliance on column 17 of Nakata, the fact that a table is set up suggests the contrary of the conclusion drawn by the Examiner. Namely, by using a table, it is not necessary to notify each of the processors. It seems that the reference uses exactly the opposite approach to what is claimed.

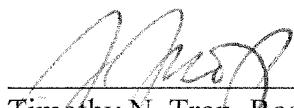
Then, on page 26, the Examiner concludes that because Nakata discloses that the signal is circulated in the network, Nakata suggests that the signal is received by all the transceivers. But, again, as was pointed out in the appeal brief, there is no communication. Instead, all that is done is that a table is established. This can be done without communicating between processors or receivers. This table is maintained in the DQDB line, apparently. Then, when a node wants to make a communication, according to the Examiner, it accesses the wavelength management table. But there is no communication or notifying of a node by another transceiver when a second of three transceivers is receiving a signal. Instead, a node simply obtains the table when it wants to get a wavelength.

The other cited references are apparently cited in an attempt to translate Nakata from disclosing a transceiver to disclosing a processor. See the Answer at page 25. We do not have

any notifying and we do not have any notifying when a second of three transceivers is receiving a signal from the third of the three transceivers.

Therefore, the rejection should be reversed.

Respectfully submitted,

  
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Date: January 22, 2009  
Timothy N. Trop, Reg. No. 28,994  
TRÖP, PRUNER & HU, P.C.  
1616 S. Voss Road, Suite 750  
Houston, TX 77057  
713/468-8880 [Phone]  
713/468-8883 [Fax]

Attorneys for Intel Corporation